

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

H. RICHARD AUSTIN,

Plaintiff,

vs.

**DOWNS, RACHLIN & MARTIN, and
HAROLD EATON, EATON & HAYES,
and GREGORY CLAYTON, ATEN,
CLAYTON & EATON,**

Defendants.

Case No. 4:05-cv-00800 SNL

ORDER

This matter is before the Court on Defendants Harold Eaton and Eaton & Hayes' ("Eaton") Motion to Stay (#26) filed December 1, 2005. Eaton requests that the Court stay Plaintiff's Motion for Summary Judgment (#25) until it rules on a previously filed Motion to Dismiss. The Court will grant this request.

Accordingly,

IT IS HEREBY ORDERED that Defendant Eaton's Motion to Stay (#26) be and is **GRANTED**. Plaintiff's Motion for Summary Judgment (#25) will be stayed until the Court rules on Defendants' Motion to Dismiss.

Dated this 8th day of December, 2005.


UNITED STATES SENIOR DISTRICT JUDGE